



Filed Electronically \_\_\_\_\_

Entered on Docket  
March 09, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

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Wells Fargo Bank, NA dba America's Servicing Company

08-79023 / 1218094109

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEVADA**

In Re:

08-24593-mkn

David P. Walter

Motion no.

Date:

Time:

Debtors.

Chapter 13

**ORDER VACATING AUTOMATIC STAY**

Pursuant to the Declaration re Breach of Condition filed on February 3, 2010 and Debtors failure to cure the default prior to its expiration, and good cause appearing.

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the  
2 above-entitled bankruptcy proceeding is immediately vacated and extinguished for all purposes as to  
3 Secured Creditor, Wells Fargo Bank, NA dba America's Servicing Company its assignees and/or  
4 successors in interest, and Secured Creditor may proceed with a foreclosure of and hold a Trustee's Sale  
5 of the subject property, generally described as 3945 Narrow Canyon St., Las Vegas NV and legally  
6 described as follows:

7 Lot 83 Block 1 of Canyon Meadows I, As Shown By Map Thereof On File In Book 70, Of Plats,  
8 Page 43, In The Office Of The County Recorder Of Clark County, Nevada.

9 pursuant to applicable State Laws, and thereafter commence any action necessary to obtain complete  
10 possession of the subject property.

11 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**  
12 **give Debtors at least seven business days' notice of the time, place and date of sale.**

13  
14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby  
15 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee  
16 of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its  
17 secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the  
18 foreclosure sale.

19  
20 Submitted by:

21 Wilde & Associates

22  
23 By 

**GREGORY L. WILDE, ESQ.**

24 Attorney for Secured Creditor  
25 212 South Jones Boulevard  
26 Las Vegas, Nevada 89107



1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor